



2152 #3

<b>INFORMATION DISCLOSURE TRANSMITTAL</b>		Docket No. G0008/7006
Applicant:	Michael A. Tavis and Jack E. Ozzie	
Serial No:	10/032/709	
Filed:	October 24, 2001	
For:	METHOD AND APPARATUS FOR MANAGING SOFTWARE COMPONENT DOWNLOADS AND UPDATES	
Examiner:	Not Yet Assigned	
Art Unit:	2152	

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**MAR 15 2002**  
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on March 6, 2002.

*Jan L. Mellen*  
Jan L. Mellen

Assistant Commissioner for Patents  
Washington, D.C. 20231

In keeping with the duty of candor and good faith owed to the Patent and Trademark Office, Applicant wishes to bring information to the attention of the Examiner. The filing of this statement shall not be construed as a representation that a search has been made or as an admission that this information is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

**Enclosures**

- ☒ A form PTO-1449 listing this information is attached
- ☒ A copy of each document cited is enclosed.
- ☐ Copies of the cited documents are not enclosed because

**Fees**

- ☒ This statement is filed before the later of (1) three months of (i) the filing of a national application or (ii) the entry date for the national stage of an international application or (2) the mailing date of a first office action on the merits. No fee is due.
- ☐ This statement is filed before the mailing date of a final office action, a notice of allowance or an action that otherwise closes prosecution, *and*
  - ☐ The submission fee of \$180.00 under 37 CFR §1.17(p) is enclosed, *or*
  - ☐ The following certification is made:
    - ☐ each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, *or*
    - ☐ no item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the statement

after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

- ☐ This statement is filed on or before payment of the issue fee, the submission fee of \$180.00 under 37 CFR §1.17(p) is enclosed, *and*
- ☐ each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or
- ☐ no item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

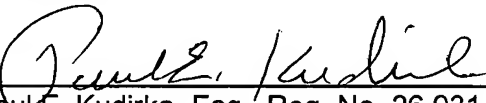
**Payment**

- ☐ A check in the amount of the submission fee is enclosed.
- ☐ Charge Account No. 02-3038 in the amount of the submission fee. A duplicate of this transmittal sheet is attached.

**Authorization to Charge Additional Fees**

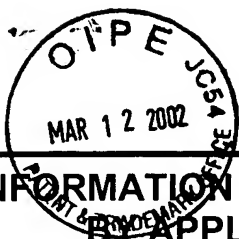
- ☒ The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §1.16 and §1.17 required by the attached paper and during the entire pendency of this application to Account No. 02-3038.

Respectfully submitted,



Date: 3/6/02

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**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT Sheet 1 of 1**

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**U.S. PATENT DOCUMENTS** Technology Center 2100

Exam Inits	Cite No.	Patent Number	Kind Code	Patentee or Applicant Name	Issue Date
		5,974,454	A	Apfel, et al.	10/1999

**OTHER PRIOR ART – NON PATENT LITERATURE AND DOCUMENTS**

Exam Inits	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the articles (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
		"Internet Development Index", Open Software Description Element Reference, 1 page, <a href="http://msdn.microsoft.com/workshop/delivery/osd/reference/reference.asp?frame=true">http://msdn.microsoft.com/workshop/delivery/osd/reference/reference.asp?frame=true</a> .	<input type="checkbox"/>
		"Software Distribution and Management", Marimba: Systems Management Built for e-business, 2 pages, <a href="http://www.marimba.com/cgi-bin/printpage.cgi">http://www.marimba.com/cgi-bin/printpage.cgi</a> .	<input type="checkbox"/>
		"The Open Software Description Format (OSD)", Open Software Description Specification, 13 pages, <a href="http://www.w3.org/TR/NOTE-OSD.html">http://www.w3.org/TR/NOTE-OSD.html</a> .	<input type="checkbox"/>
		"Creating Self-Updating Appliances and Devices", Marimba Embedded Management, 18 pages, August, 2001, <a href="http://www.marimba.com">www.marimba.com</a> .	<input type="checkbox"/>
		CHOW, Connie, et al., "Understanding Centralized Management of Distributed Servers and Content", 16 pages, September, 2000.	<input type="checkbox"/>
		"Whitepaper: Open Software Description", 13 pages, May, 1998.	<input type="checkbox"/>

Examiner Signature		Date Considered	
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